

REMARKS

Reconsideration of the application, as amended, is respectfully requested.

The Examiner continues to maintain the rejection of claims 1, 2, 5, 8, 10, 12, 14 and 17 as anticipated by Shoseyov et al. In a serious effort to expedite the prosecution of application, applicants have amended the claims to recite the binding of the high binding antibody or fragment to microparticles loaded with a benefit agent.

See example 5 of applicants' specification which describes latex particles (i.e. microparticles) coated with perfume and the results in the presence of CBD fusion protein and without CBD fusion protein. See also example 6 describing coacervate particles with perfume. See page 18 describing the preparation of perfume latex particles and the preparation of coacervate particles. See example 3 describing the preparation of coacervate microcapsules. See example 2 describing latex capture on cellulose fibers

For the anticipation under §102(b) it is necessary for each and every element of the claim to be disclosed by the reference. Shoseyov differs from the present claims in at least that it does not teach or suggest:

1. any chemical equilibrium constant, or
2. equilibrium constant lower than $10^{-4}M$, or
3. binding of the high binding antibody or fragment to microparticles loaded with a benefit agent.

The Examiner summarized applicants' arguments in the last response as arguing that Shoseyov et al., "differs from the present claims in that it does not teach or suggest any chemical equilibrium constant or equilibrium constant to be lower than $10^{-4}M$ for the high affinity binding antibody domain of the fusion protein." The Examiner is correct that applicants are arguing that, but applicants are arguing additional differences over Shoseyov, as summarized herein.

Shoseyov teaches cellulose binding domain and a fusion protein which may comprise cellulose binding domain and a second protein (protein A or HSP protein). See column 4, lines 45-58. Shoseyov further teaches diagnostics kits or immunoassay methods wherein the second protein binds to a detectable label or an enzyme. See column 5, line 58 - column 7, line 67. Shoseyov further teaches binding of cellulose binding domain with a drug, e.g. an anti fungal agent. The binding may be done directly or via a linker such as an activation agent via amine or ester bonds. See column 8, lines 1 – 35.

Shoseyov does not teach or suggest an entity comprised of at least three parts as presently claimed:

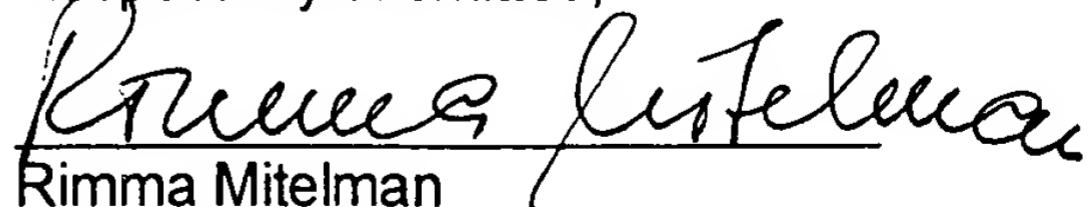
1. cellulose binding domain;
2. antibody or antibody fragment;
3. the antibody or antibody fragment binding to microparticles which are loaded with a benefit agent.

In light of numerous differences between the teaching of Shoseyov and the present claims, it is respectfully requested that the rejection over Shoseyov be reconsidered and withdrawn.

In light of the above amendments and remarks, it is respectfully requested that the application be allowed to issue.

If a telephone conversation would be of assistance in advancing the prosecution of the present application, applicants' undersigned attorney invites the Examiner to telephone at the number provided.

Respectfully submitted,


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